

G. R. S. IX-5]

Previous references.

1918.

(65)

File No. 265-18

Serial Nos. 142

Later references.

403-36 (3+5)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for

July 19

SUBJECT.

Memorial of Sanna Beerayya praying for the remission of sentence of death passed on him in Kadur Sessions case No 6 of 1918-19.

22) To, The Registrar, Chief Court.
No G 1596 D 22-7-19

— 200 copy of the order of His Highness rejecting the memorial.

St. George

19/8/19

17783

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 265-18

FILE HEADING.

Memorial of Sarma Veerayya praying
for the remission of sentence of death
passed on him in Kadur Sessions Case no 6 of
1918-19

From

The Registrar, Chief Court

No. 644
cr

Dated 2nd June 1919

Received 6-6-1919

Diary No. 17783

Enclos. 5 files Spare Copies.
of records

Serial No. /

BRIEF ABSTRACT OF LETTER.

Forwards the memorial of Sarma-
veerayya praying for the remission of
the sentence of death passed on him,
on the ground of innocence.

NOTES AND ORDERS.

H. R.

Submitted. The facts of the case are
stated in the judgment of the Sessions
Judge also in that of the Chief Court.

86
7/6/19
for
7/6

d. File No. 265 of 1918.

Serial
No.

2 The petitioner was charged with the murder of one Bommanna & was convicted and sentenced to death by the Sessions Judge, Shimoga Dist., in Kadur Sessions Case No. 6 of 18-19 under S-302 I.P.C. He preferred an appeal to the Chief Court, but the conviction and sentence were confirmed & the appeal was dismissed in Criml App No. 60 of 1918-19.

3 The petitioner prays to be released on the plea of innocence. He says that he is not responsible for the murder of Bommanna & that a false charge was brought against him by the Patel of the village on account of ill-will. The records show that it was the Patel who introduced the petitioner to the village & gave him a piece of land as he (petitioner) was his priest. The plea of ill-will is a pure afterthought. ~~It was~~ ^{was} raised for the first time in ~~the~~ his appeal petition to the Chief Court & has been repeated in this petition. It has been proved that the petitioner had been on terms of criminal intimacy with the wife of Bommanna & that he deliberately

ctd File No. 265 of 1918-19

Serial
No.

murdered the latter in order to live with the widow. There is absolutely no ground for any doubt as to the guilt of the petro, and two out of the three assessors have held that he is guilty. The crime was most brutal & pre-meditated, and there are no extenuating circumstances to be urged in favour of the petro.

There appears to be no ground for clemency & the petro does not seem to deserve any consideration.

Subd for orders

Chief Secy

D. M.
14/6

I Member

4 May be dealt with by circulation

1st member }
Dewan }CSL
14/6/19

5 I agree. The evidence is strong, and, besides his guilt, three days after the murder, before the Chitragulundry Ash C-2 Dist Cl. Magt. and repeated the confession before the Comm. Magt. 5 days later. It was ~~found~~ he that pointed out the corpse of the murdered man hidden in a bush.

6. The Memorial may be rejected -

17/6/19

DEWAN'S OFFICE.	
Recd. on JUN 19 1919	
Reg. No.	8007.

NOTE—Contn. sheet.

of minutes 7 (Dewan)
Lagne. Please circulate
21/6/19
18/6/19
19/6/19

Council matter
(Cl. vi of the Schedule)

1989
17.6.19

(For Disposal by Circulation)

No. C. 915

24.6.1919

GENERAL AND REVENUE SECRETARIAT.

COUNCIL MATTER.

SUBJECT.

Memorial of Sanna Veerayya praying for remission of sentence of death passed on him by the Sessions Judge of Shimoga.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

24th June 1919.

C. S. Salasumkur
Chief Secretary to Government.

Extraordinary Member of Council.

K. N. S. S.
30.6.19

First Member of Council.

Opinion recorded.

8121-268
25-6-19

Second Member of Council.

opinion recorded
Illal

26.6.19

5452
26.6.19

Third Member of Council

WD 2670--GPB--1,000--11-5-17

26.6.19
W. S. S.
28/6

General and Revenue
Secretariat.

File No. 265 of 1918.

Serial
No.

9. Jagree

Recd.
26.6.1910. Jagree
Sub?
26/6/19

11.

To the Asst Secy, Branch II (Collection)
for D.F.N. & D.S.N.

12.

Encl. with D.F.N. & D.S.N.

C.S.
4/7/19
D.M.
1/78/7.
D.M.
3/7

Chief Secy

D.M.
4/7

1st member

16/7/19

C.S.
4/7
D.M.
5/7

13) D.S.N. Submitted.

Dewang 12.7

C.S.
8/7/19
D.M.
8/7

DEWAN'S OFFICE.

Recd. on JUL 9 1919.

Reg. I.O. 263.

NOTE—Contn. sheet.

Final Note by the First Member of Council.

Subject:—

MEMORIAL OF SANNA VEERAYYA PRAYING FOR REMISSION
OF THE SENTENCE OF DEATH PASSED ON HIM BY THE SESSIONS JUDGE
OF SHIMOGA.

Sanna Veerayya was charged before the Court of Sessions, Shimoga, with the murder of one Bommanna. He was found guilty, convicted and sentenced to death by the Sessions Judge.

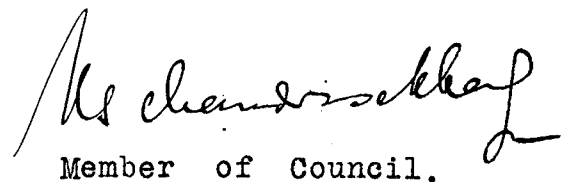
2. On appeal to the Chief Court, the conviction and sentence were confirmed.

3. The memorialist now prays for clemency on the plea of innocence.

4. The evidence is strong and there seems no room for doubt as to the guilt of the memorialist. Besides, he confessed his guilt, three days after the murder, before the Treasury Assistant Commissioner and 1st Class Magistrate; and repeated the confession before the Committing Magistrate five days later. It was he that pointed out the corpse of the murdered man concealed in a bush. The crime was brutal and premeditated, and there are no extenuating circumstances. The memorial may therefore be rejected.

5. The other members of Council are also of the same opinion.

Bangalore.
7th July 1919.


Member of Council.

Submitted to His Highness.

*I submit herewith a Final Note by the.....First
Member of Council on the subject of.....the memorial of Sanna
Veerayya praying for remission of sentence of death passed on
him by the Sessions Judge, Shimoga,
for His Highness' gracious approval.*

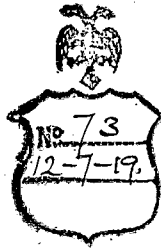
*CSJ
8/7/19*

[Signature]
Dewan.
12.7.19.

Record of Cases submitted for the Orders
of His Highness the Maharaja

Subject.

Memorial of Sanna Veerayya praying
for remission of sentence of death.



Order.

~~KRAM~~

14/7/19

Ch. Sany

veer

15.7.19

General and Revenue
Secretariat.

File No. of 191.

Serial
No.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to the Members of Council for perusal of (*)

His Highness' orders ~~before~~ after issue of orders. (Vide Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure).

Chakrasundaram
Chief Secretary to Govt. 16/7/19

Draft at once

16/7/19
CMH

Through the Secretary to Government,

.....Department.

852-17

1.8.19

FIRST MEMBER OF COUNCIL

PSM
Recd
2-8-19

510

1.8.19

SECOND MEMBER OF COUNCIL

KH
1/8

Shind

TEMPORARY MEMBER OF COUNCIL.

Seen
20/7

476
28.7

9

10.4.18

General and Revenue
Secretariat.

Ct File No.

268 of 1918

Serial
No.

Inbd. with a draft & fair order
of H. H. It was also signed by the
Dewan. Draft concerning letter to
the Regt. is also put up.

85
26/7
16/7

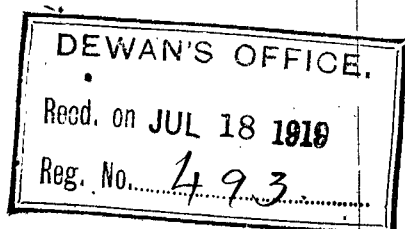
GMM

16.7.19

Chief Secy
For Signature

Dewan)

18/7
17/7/19
GMM



Signed by the Dewan.

28.
18/7/19.

Print
18/7
GMM

2

The Mysore Ch. Court
No. 1596 of 22-7-19
forwards copy of the order of H. H.
rejecting the memorial

To the Confidential Branch for circulation
of the file to members of Council

NOTE—Contn. sheet

CS 26/7/19
JUL 1919

Apr
26/7

4/8/19

BANGALORE,

Dated 19 May 1919.

2nd June 1919

No. 17783.

71837

THE REGISTRAR OF THE

CHIEF COURT OF MYSORE,

Bangalore

19	19
SECTION	05
FILE No.	265-18
SERIAL No.	1

To

Chief

THE SECRETARY TO GOVERNMENT,

GENERAL DEPARTMENT,

Bangalore

I am directed to forward a memorial addressed to His Highness the Maharaja

by Sanna Veerayya accused in Kadur Sessions Case No. 6

of 19/8-19 on the file of the Sessions Judge of Shimoga

Division and appellant in Criminal Appeal No. 60 of 1918-19 on the file

of this Court.

The entire record of the case is herewith forwarded.

I have the honor to be,

Sir,

Your most obedient servant,

M. Vinayasingam.

For Registrar.

[Handwritten signature]

1918-19
 1918-19

॥ श्रीगणेशाय नमः ॥
 ॥ श्रीगणेशाय नमः ॥
 ॥ श्रीगणेशाय नमः ॥

[illegible]

My dear mother and father
I have just received your letter of the 14th inst.
and am very glad to hear from you. I am well and hope
these few lines will find you the same. I have not much news
to write at present. I am still in the same place and
doing the same work. I hope to hear from you soon.
I am very affectionately yours,
Your son,
John Smith

John Smith
14 5
19

THE CHIEF COURT OF MYSORE AT BANGALORE.

Dated, Monday the 21st day of April 1919.

Present

Mr. Justice R.B. Plumer, Judge,

and

Mr. Justice C.S. Doraswami Iyery, Judge.

CRIMINAL APPEAL NO. 60 OF 1918-19
CRIMINAL REFERRED CASE NO. 5 OF 1918-19.

Against the conviction and sentence of the
Sessions Judge, Shimoga Division, in Kadur
Sessions Case No. 6 of 1918-19 under Section
302 of the Indian Penal Code.

Appellant:

Sanna Veerayya,

(Accused).

JUDGMENT.

The accused Sanna Veerayya has been convicted by the Sessions Judge, Shimoga Division, under Section 302, Indian Penal Code, and sentenced to death. He has preferred this appeal from Jail. Mr. M. Ramaswami, Advocate, was instructed by the Court on the accused's behalf and argued the appeal at considerable length.

He was however not able to show us a single ground for any doubt whatever as to the guilt of the appellant. The murdered man's widow Mallamma with whom as admitted by her the accused had latterly been on terms of criminal intimacy has been examined as Prosecution Witness No. 3. She deposes that the accused and her husband went out together towards

Patre/

Patre Veerappa's coffee garden. The accused then had a gun, article x, with him. Subsequently the accused returned alone and told her he had murdered her husband and that they could now live happily together.

Meanwhile Prosecution Witnesses 5, 6, 7 and 8 had heard the sound of a gun-shot from the direction of Patre Veerappa's garden.

While they stood and questioned each other as to what had happened the accused came from that direction carrying a gun. They asked him about the shot and he said he had fired it at a boar which had charged him. He had missed the boar and had to drop the gun and climb a tree. The gun then had a trigger missing.

Next day when the murdered man who was worshipping at the Lingayite temple in that village was wanted for worship he was not to be found. On the patel (Prosecution Witness No.2) questioning the accused the latter first said he knew nothing and subsequently said that he and the deceased had gone to rob coffee and that Patre Veerappa's servants had murdered the deceased.

The Amildar (Prosecution Witness 4) was holding Jamabandi in a village near by; so the patel took the accused to him.

The accused repeated his statement to the Amildar and named the place where the corpse would be found. The Amildar had the report Exhibit 1, to the above effect sent to the Taluk Inspector at Chikmagalur some 15 miles away.

It reached Chikmagalur at 6 p.m. and the Inspector at once proceeded to the spot. Meanwhile the Amildar had looked for the corpse at the places mentioned by the accused and not finding it there came back and questioned the deceased's

widow

ow Mallamma and the villagers Prosecution Witnesses 5, 6, 7 and 8 who had heard the gun-shot, and on their statements in conjunction with his former suspicions he arrested the accused that evening.

Next morning the accused made a statement and took the Amildar, and Inspector and Panchayatdars to a lentana bush in a thick patch of jungle about 1 furlong from the place searched the previous afternoon by the Amildar and showed them the corpse of the deceased lying in the middle of the bush rolled up in a cambli. There were two slight shot wounds in the back and 28 incised wounds on the body including one which cut the carotid artery and severed the jugular vein. About 3 yards from where the corpse lay the accused picked up the trigger, article iii, and gave it to the Amildar. He then took the police and panchayatdars and Amildar to his house and produced the gun, article x, and chopper, article xi. The gun, article x, had a trigger missing, and the trigger, article iii, fitted the gun, article x.

The next day he made a full confession Exhibit P₃ before the Treasury Assistant Commissioner and Magistrate, Chikmagalur. In this he describes how in order to enable him to carry on his intimacy with Mallamma he decided on her instigation to murder the deceased and taking him out on the night of the murder under a pretext of stealing coffee he shot him in the back dropping the chopper to do so. The shot failed to bring the deceased down and the latter turned on the accused and picking up the chopper struck at him with it. The accused fended off the blow with the gun and the blow fell on the barrel of the gun and cut a notch in it. This caused the chopper to fly from the deceased's hand. The accused secured the chopper and with it he cut down and murdered the deceased. On his way home he met some villagers who asked what the galata was. He told them the story about the boar. He then went home and wash

DRAFT.

SUBJECT.....

Section. *65*File No. *265-18*Serial No. *2*No. *51596*

To

Records

Diary No. of letter replied to.....

The Registrar of the Chief
Court of Mysore.

GENERAL AND REVENUE SECRETARIAT,

SIR,

()
, the.....191 .

Date of issue.....

22/7/19

Signed by.....

*M. G. B. H.*I am directed to forward herewith
for information of the Judges of the Chief
Court and for communication to the
prisoner.....*Sannaveerayya*
accused in Madras Sessions Case
No. 6 of 1918-19 on the file of the Sessions
*undergoing sentence of death*in the...*Bangalore Central* Jail,
copy of order passed by H. H. the Maha-
raja of Mysore, on the prisoner's memorial
*rejecting the same*2. The entire records received with
your letter No. *646*..... dated
19 May.....1919 are
2nd June
herewith returned

I have, etc.,

G. M. A.

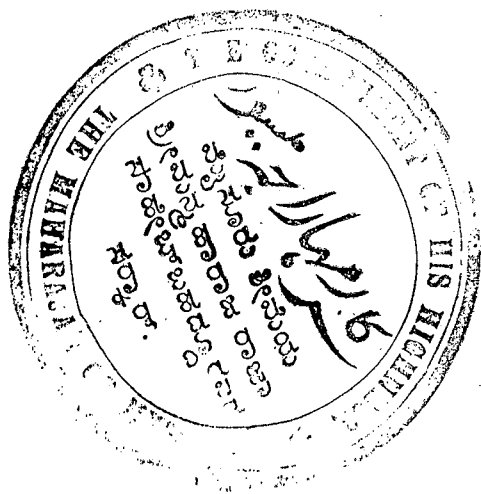
For Chief Secretary.

*6/8/19**ADD*
10/8/19

In the Matter of a Memorial of
Sanna Veerayya accused in Madras Sessions
Case No. 6 of 1918-19 on the file of The Sessions
Judge of Shimoga Division and appellant
in Criminal Appeal No. 60 of 1918-19 on
the file of the Chief Court, praying for remission
of sentence of death passed on him

His Highness the Maharaja
directs

That the Memorial be rejected.



Draft.)

Amth
/

Dewan.

18.7.19